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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,563	08/30/2001	Takao Miyazaki	0879-0347P	6146
2292 7590 02/11/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER LIN, KENNY S	
			ART UNIT 2152	PAPER NUMBER
			NOTIFICATION DATE 02/11/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

09/941,563

Applicant(s)

MIYAZAKI ET AL.

Examiner

Kenny Lin

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 11/6/07.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-25 are presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/2007 has been entered.

Information Disclosure Statement

3. The information disclosure statement filed 11/6/2007 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered. There provide no translation to the foreign patent documents.
4. The information disclosure statement filed 11/6/2007 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information

referred to therein has not been considered. No copy of the foreign patent document of JP-2000-172970 is submitted.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 3, 5, 7, 13, 15 and 17-21 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Neal, US 6,711,154.

7. As per claim 1, O'Neal teaches an informing system for providing different types of information to a user through a local area network having a plurality of various types of devices (col.4, lines 1-14, col.5, lines 46-51), the informing system comprising:

- a. A communication device that receives the different types of information and communicates at least with the plurality of various types of devices within the local are network (col.4, lines 1-14, col.6, lines 35-59);
- b. A properties file producing device that produces a properties file storing preferences for performing a plurality of informing jobs corresponding respectively to the different types of received information (col.8, lines 44-67,

col.9, lines 1-32, col.10, lines 50-67, col.11, lines 1-12), wherein the properties file stores, for each of the plurality of informing jobs, at least one address of at least one of the plurality of devices within the local area network which will potentially provide the information of a particular informing job to the user (e.g. forward call to new destination, col.11, lines 18-22), and settings related to at least one of the following:

- c. Whether or not an informing job has priority over other informing jobs, whether the informing job will be performed automatically or manually (col.11, lines 9-12, 24-33), a range of the informing job (col.11, lines 9-12, 24-52, 62-67, col.12, lines 1-10), and which of the plurality of devices on the local area network will perform the informing job (col.11, lines 9-12, 24-46);
- d. Wherein when information is subsequently received at the communication device, a determination is made on how to provide the type of received information to the user based on the at least one address and the setting include in the properties files (col.11, lines 9-46); and
- e. An informing device that provides the received information to at least one of the plurality of devices within the local area network to perform the informing job according to the determination made based on the at least one address and the settings in the properties file produced by the properties file producing device (col.9, lines 11-32, col.11, lines 9-46).

8. As per claim 3, O'Neal teaches the informing system as defined in claim 1. O'Neal further teaches that the local area network is a home network in a home (col.5, lines 46-51).

9. As per claim 5, O'Neal teaches a server that stores the properties file produced by the properties file producing device (col.9, lines 11-14, 47-48), the remainder of claim 5 is rejected for the same reasons as rejected to claim 1 above.

10. As per claim 7, the claim is rejected for the same reasons as rejection to claim 3 above.

11. As per claim 13, the claim is rejected for the same reasons as rejection to claim 1 above.

12. As per claim 15, O'Neal teaches the informing system as defined in claim 13. O'Neal further teaches that providing information according to the determination made based on the settings in the properties file further includes transferring the received information to one of the plurality of devices on the network based on the setting, relating to which of the plurality of devices on the local area network will perform the informing job, in the properties file (col.11, lines 9-52, 62-67, col.12, lines 1-10).

13. As per claim 17, O'Neal discloses the invention substantially as claimed as described in claim 1 above. O'Neal further teaches that the system produces the property file according to a user's input operation (col.9, lines 11-32, col.11, lines 9-46).

14. As per claim 18, O'Neal discloses the invention substantially as claimed as described in claim 1 above. O'Neal further teaches that the system produces the property file according a user's input operation in a properties screen (col.9, lines 11-32, col.11, lines 9-46; figs. 6-10).

15. As per claim 19, O'Neal discloses the invention substantially as claimed as described in claim 1 above. O'Neal further teaches that the system produces the properties file of one of the plurality of devices within the local area network (col.9, lines 11-32, col.11, lines 9-46), wherein a local area network is a home network (col.5, lines 46-51), wherein the one of the plurality of devices is selected on a selection screen (figs. 6-10).

16. As per claim 20, O'Neal discloses the invention substantially as claimed as described in claim 1 above. O'Neal further teaches that the system sends the produced properties file to the selected one of the plurality of devices (col.9, lines 11-32, col.11, lines 9-46; figs. 6-10).

17. As per claim 21, O'Neal discloses the invention substantially as claimed as described in claim 1 above. O'Neal further teaches that the system sends the produced properties file to the selected one of the plurality of devices together with information (col.9, lines 25-31, col.11, lines 2-8, 53-60).

18. Claims 2, 4, 6, and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal as applied to claims 1, 3, 5 and 7 above, and further in view of Stumer, US 2002/0064271.

19. Stumer was cited in the previous office action.

20. As per claims 2, 4, 6 and 8, O'Neal discloses the invention substantially as claimed as described in claims 1, 3, 5 and 7 above. O'Neal does not explicitly teach informing device for turning on a device if the device property file shows that the job from the informing device has higher property. However, in the same field of endeavor, Stumer teaches an embodiment of NRCR system for optimization ([0027]), which is capable of turning on i.e. wake up, a device in a network; based on priority ([0049]). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate such capability as taught in Stumer with O'Neal in order to optimize efficiency of O'Neal's system as suggested (Stumer, [0002]).

21. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal as applied to claim 5 above, and further in view of Kang, US 2003/0074450.

22. Kang was cited in the previous office action.

23. As per claim 9, O'Neal discloses the invention substantially as claimed as described in claim 5 above. O'Neal does not explicitly teach server is one of a refrigerator and a telephone that can transmit and receive information through the local are network. However, in the same field of endeavor, Kang teaches a home network system comprising a plurality of home appliances ([0024]), which are capable of transmitting signals with each other so that one or more of the devices can control the other devices ([0024]). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to incorporate Kang with O'Neal because combination would improve the functionality for O'Neal's system by monitoring and control status of devices within a home network comprising various appliances (Kang, [0024], [0010-0012]).

24. As per claim 11, O'Neal and Kang disclose the invention substantially as claimed in claim 9. O'Neal further taught that the local area network is a home network in a home (col.5, lines 46-51).

25. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal and Kang as applied to claims 9 and 11 above, and further in view of Stumer, US 2002/0064271.

26. As per claims 10 and 12, O'Neal and Kang disclose the invention substantially as claimed as described in claims 9 and 11 above. O'Neal and Kang do not explicitly teach informing device for turning on a device if the device property file shows that the job from the informing device has higher property. However, in the same field of endeavor, Stumer teaches an embodiment of NRCR system for optimization ([0027]), which is capable of turning on i.e. wake up, a device in a network; based on priority ([0049]). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate such capability as taught in Stumer with O'Neal in order to optimize efficiency of O'Neal's system as suggested (Stumer, [0002]).

27. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal as applied to claim 14 above, and further in view of applicant admitted prior art (AAPA).

28. As per claim 14, O'Neal teaches the informing system as defined in claim 13. O'Neal further taught that the informing job will be performed automatically or manually (col.11, lines 9-12, 24-33). O'Neal did not specifically teach to transferring the information to a printing device for printing. AAPA taught to send request regarding print jobs for printing at a printer (page 1, lines 8-11 of the specification). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Neal and AAPA to enable information such as a print job request to be transmitted to a printer to perform printings.

29. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal as applied to claim 13 above, and further in view of Barber et al (Barber), US 6,658,485.

30. As per claim 16, O'Neal teaches the informing system as defined in claim 13. O'Neal further taught to establish communication channel between devices on the local area network based on the settings in the properties files (col.11, lines 9-12, 18-22). O'Neal did not specifically teach that whether or not an informing job has priority over other informing jobs. Baber taught to determine informing job priority (abstract, col.4, lines 24-28) and establishing communication channel between a device storing the properties file and another of the plurality of devices on the local area network based on the settings in the properties files (col.1, lines 48-57). It would have been obvious to one of ordinary skill in the art at the time the invention was

made to combine the teachings of O'Neal and Barber because Barber's teaching of changing priorities of queued message enables O'Neal's method to prioritize messages and also change the priorities of the messages for transmission (Barber, abstract).

31. Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal as applied to claim 1 above, and further in view of Moore, US 5,398,021.

32. As per claims 22-23, O'Neal discloses the invention substantially as claimed in claim 1. O'Neal did not specifically teach that the different types of received information includes at least one of the group consisting of: information regarding a particular subscription item and information regarding a home security system. Moore taught to receive information of particular subscription items such as sports data, stock data and weather data...etc (abstract, col.3, lines 46-51). Moore further disclosed that the subscription item is an e-magazine or an e-newspaper, and wherein the information device provides at least a notification to the user that the subscription item has been received (abstract, col.3, lines 46-51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Neal and Moore because Moore's teaching of delivering information update message enables O'Neal's method to receive notification about new subscribed contents.

33. Claims 22 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal as applied to claim 1 above, and further in view of Yukie et al (Yukie), US 6,956,833.

34. As per claim 22 and 24, O'Neal discloses the invention substantially as claimed in claim 1. O'Neal did not specifically teach that the different types of received information includes at least one of the group consisting of: information regarding a particular subscription item and information regarding a home security system. Yukie taught to receive information regarding a home security system and to provide at least one of voice and image received by the communication device from the home security system to the user based on the determination made based on the properties file regarding a detected abnormality in the security system (col.17, lines 65-66, col.19, lines 7-18, 27-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Neal and Yukie because Yukie's teaching of setting condition parameter enables O'Neal's method to notify the user according to the occurrence of certain preset condition.

35. As per claim 25, O'Neal discloses the invention substantially as claimed in claim 1. O'Neal did not specifically teach in detail that the informing job is performed by one of: blinking an indicator, displaying the received information, printing the received information and playing an audible indicator. Yukie taught to perform the informing job by audio, flashing icon, text or video (col.19, lines 12-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of O'Neal and Yukie because Yukie's teaching of setting what alerting method enable O'Neal's system to provide the alert in various ways including text, audio, video message.

Response to Arguments

36. Applicant's arguments with respect to claim 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

37. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

38. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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February 5, 2008

